

First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1181

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AN ACT to amend the Indiana Code concerning agriculture.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 15-15-13-17 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17. (a) The seed commissioner may keep the:**

- (1) names of growers and handlers who are licensed under this chapter; and**
- (2) locations of licensed industrial hemp crops;**

**confidential for purposes of IC 5-14-3.**

**(b) The seed commissioner may share confidential information under subsection (a) with the state police department and law enforcement officers.**

SECTION 2. IC 26-3-7-6.1, AS AMENDED BY HEA 1549-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6.1. (a) Not more than ninety (90) days after the end of a licensee's fiscal year, the licensee shall file with the agency a current review level financial statement or better financial statement that reflects the licensee's financial situation for the previous fiscal year. The financial statement must be submitted with the licensee's renewal forms and fees.

(b) A financial statement submitted under this section must:

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- (1) be prepared by an independent accountant certified under IC 25-2.1;
- (2) comply with generally accepted accounting principles; and
- (3) contain:
  - (A) an income statement;
  - (B) a balance sheet;
  - (C) a statement of cash flow;
  - (D) a statement of retained earnings;
  - (E) an aged accounts receivable listing detailing accounts that are ninety (90) days due, one hundred twenty (120) days due, and more than one hundred twenty (120) days due;
  - (F) a copy of the daily position record for the end of the licensee's fiscal year;
  - (G) the preparer's notes; and
  - (H) other information the agency requires.

The director may adopt rules under IC 4-22-2 to allow the agency to accept other substantial supporting documents instead of those listed to determine the financial solvency of the applicant if the director determines that providing the listed documents creates a financial or other hardship on the applicant or licensee.

(c) If the licensee has failed to timely file the financial statement, renewal form, or renewal fee as required in subsection (a), the agency may assess a fine as follows:

- (1) Fifty percent (50%) of the licensee's renewal fee for a financial statement, renewal form, or renewal fee that is at least **one (1) day and not more than** sixty (60) days late.
- (2) One hundred percent (100%) of the licensee's renewal fee for a financial statement, renewal form, or renewal fee that is more than sixty (60) days late.

(d) The agency may file a notice of hearing for any fines assessed under subsection (c).

**SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

**(b) As used in this SECTION, "study committee" means either of the following:**

- (1) A statutory committee established under IC 2-5.**
- (2) An interim study committee.**

**(c) The legislative council is urged to assign to the appropriate study committee the topic of issues related to the production and use of hemp oil that is produced from industrial hemp (as defined by IC 15-15-13-6).**



**(d) If the topic described in subsection (c) is assigned to a study committee, the study committee shall issue a final report to the legislative council on the topic in an electronic format under IC 5-14-6 not later than November 1, 2015.**

**(e) This SECTION expires December 31, 2015.**

**SECTION 4. An emergency is declared for this act.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

